

Message Text

CONFIDENTIAL

PAGE 01 LAGOS 08768 310835Z

22

ACTION AF-08

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 AID-05 /021 W

----- 087891

P 301545Z JUL 76

FM AMEMBASSY LAGOS

TO SECSTATE WASHDC PRIORITY 6125

C O N F I D E N T I A L LAGOS 8768

E. O. 11652: GDS

TAGS: PDIP, CASC (PROUTY, GORDON K.)

SUBJ: SEIZURE OF OFFICIAL PASSPORT OF USAID OFFICER

REF : STATE 187218

1. ONLY NEW DEVELOPMENTS IN PROUTY CASE ARE APPEARANCE AT EMBASSY ON JULY 28 OF BAILIFF FROM MAGISTRATE'S COURT AT YABA WITH BENCH WARRANT FOR PROUTY'S ARREST FOR FAILING TO ANSWER SUMMONS ON JULY 7 FOR TRAFFIC VIOLATION AND DELIVERY OF NEW NOTE TO MINISTRY OF EXTERNAL AFFAIRS ON JULY 29.

2. BAILIFF INTERVIEWED BY CONSULAR OFFICER WHO EXPLAINED THAT MATTER WAS SUBJECT OF DISCUSSION WITH MEA AND THAT IT WAS EMBASSY'S POSITION THAT AS OFFICIAL OF DIPLOMATIC MISSION, MR. PROUTY SHOULD NOT APPEAR IN COURT. BAILIFF SAID HE WOULD NOT ATTEMPT TO EXECUTE WARRANT AND WOULD INFORMALLY RELATE CONVERSATION TO MAGISTRATE.

3. CONSULAR OFFICER HANDED NOTE TO DIRECTOR CONSULAR AND LEGAL AFFAIRS DIVISION FABUNMI ON JULY 28 AND HAD GENERALLY UNSATISFACTORY CONVERSATION ON SUBJECT. (NOTE FOLLOWS SEPTTEL.) ASKED WHY PASSPORT STILL HELD AND WHEN IT WOULD BE RETURNED, FABUNMI RESPONDED WITH RAMBLING AND POINTLESS REMARKS ON DIPLOMATIC PASSPORTS, APPARENTLY INTENDING BY INDIRECTION TO DISTINGUISH BETWEEN OFFICIAL AND DIPLOMATIC STATUS OF EMBASSY STAFF AND TO SUGGEST THIS AS REASON MEA UNABLE COMPEL POLICE TO DISGORGE PASSPORT. CONSULAR OFFICER COMMENTED THAT ISSUANCE OF CITATION FOR FAILURE DISPLAY PROPER LICENSE TAGS FIVE DAYS AFTER FACT AND AFTER OFFICER HAD BEEN HELD INCOMMUNICADO IN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 LAGOS 08768 310835Z

CID CELL FOR MORE THAN TWO DAYS STRUCK US AS ADDING INSULT TO

INJURY. COMMENT PRODUCED IRRELEVANT HOMILIES ALLUDING TO POLICE AND IMMIGRATION PERSECUTION OF NIGERIAN'S IN U.S., GROUND WELL COVERED IN PREVIOUS MEETINGS WITH FABUNMI.

4. ON SUBJECT OF THREAT TO EXPELL NIGERIAN DIPLOMAT IN WASHINGTON, FABUNMI GIVEN STATE 187218 TO READ AND COMMENT UPON. ALLEGATION HAS CROPPED UP REPEATEDLY DURING THIS AFFAIR. ONE VERSION IS THAT PASSENGER IN PROUTY'S CAR MADE THREAT, BUT PROUTY WAS ALONE, AS VERIFIED BY HIS OWN STATEMENT AND FACT THAT HAD THERE BEEN A PASSENGER, HE ALMOST CERTAINLY WOULD HAVE BEEN PICKED UP ALONG WITH PROUTY. FABUNMI SAYS THAT HE WAS TOLD OF THREAT BY POLICE CONTACT AND THAT IT WAS MENTIONED IN COMMUNICATION FROM AMERICAS DEPARTMENT TO NIGERIAN EMBASSY, WASHINGTON. HE ALSO LINKS THREAT TO STATEMENTS BY POLITICAL COUNSELOR TO AMERICAS DEPARTMENT AND BY CONSULAR COUNSELOR TO HIM ON JULY 7 THAT POLICE INCIDENTS INVOLVING EMBASSY STAFF MEMBERS, SUCH AS PROUTY AND LANGLEY, EVENTUALLY WOULD REQUIRE A RESPONSE. WHILE FABUNMI UNABLE PROVIDE DETAILS TO SUPPORT THREAT TO WHICH SANU REFERRED, EMBASSY HAS NO DOUBT THAT THREAT APPEARS SOMEWHERE IN POLICE REPORTING OF CASE AND UNDOUBTEDLY INTENDED TO JUSTIFY ACTION WHICH MIGHT OTHERWISE BE REGARDED AS OVERSTEPPING OF POLICE AUTHORITY.

5. COPY OF USAID-FMG AGREEMENT ESTABLISHING AID MISSION IN NIGERIA NEEDED TO PROVIDE GUIDANCE HERE RE PRIVILEGES AND IMMUNITIES OF AID PERSONNEL. CANNOT LOCATE COPY IN OUR FILES. DEPARTMENT REQUESTED POUCH COPY OF AGREEMENT ASAP AND TO SEND ARTICLES RELATING TO IMMUNITIES BY CABLE.
CAHILL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRAVEL DOCUMENTS, DIPLOMATIC PERSONNEL HARASSMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976LAGOS08768
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760296-0561
From: LAGOS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976075/aaaaaedn.tel
Line Count: 90
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 187218
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 JUL 2004 by KelleyW0>; APPROVED <18 OCT 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SEIZURE OF OFFICIAL PASSPORT OF USAID OFFICER
TAGS: PDIP, CASC, US, NI, (PROUTY, GORDON K)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006